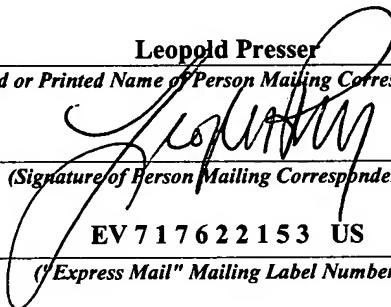


|   |   |   |
|---|---|---|
| FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE<br>(REV. 2-2005)   |   | ATTORNEY'S DOCKET NUMBER<br>19242                                   |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371  |   | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/553683</b> |
| INTERNATIONAL APPLICATION NO.<br>PCT/AU2004/000511  | INTERNATIONAL FILING DATE<br>16 April 2004 (16.04.2004) | PRIORITY DATE CLAIMED<br>17 April 2003 (17.04.2003)                 |
| TITLE OF INVENTION<br><b>VIRAL VECTORS EXPRESSING FUSION OF VIRAL LARGE ENVELOPE PROTEIN AND PROTEIN OF INTEREST</b>  |   |   |
| APPLICANT(S) FOR DO/EO/US<br>David Andrew Anderson and Elizabeth Vera Ludmilla Grgacic  |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |   |
| <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p> <p>11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</p> <p>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</p> |   |   |
| <p><b>Items 13 to 23 below concern document(s) or information included:</b></p> <p>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>17. <input type="checkbox"/> A substitute specification.</p> <p>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>22. <input checked="" type="checkbox"/> Express Mail Label No. EV 717622153 US</p> <p>23. <input checked="" type="checkbox"/> Other items or information:<br/> <b>Courtesy copy of international application</b><br/>           Twelve (12) sheets of drawings; Fourteen (14) sheets of sequence listing<br/>           Assignee: HEPGENICS PTY LTD. of Armadale, Victoria, Australia         </p>   |   |   |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
|---|--------------|--|--------------|--|-------------|--|------------------------|--------------|--------------|---------------------|---------|---|--|-------|----|----------|--|----------------------------|--|-------|--|--|--|---|--|-------|--|--|--|---|--|-------|--|--|--|----------------------------|--|-------|----|----------|--|---------------------------------|--|----|----------|--|--|
| U.S. APPLICATION NO (if known, see 37 CFR 1.5)<br><b>10/553683</b>  |              | INTERNATIONAL APPLICATION NO.<br>PCT/AU2004/000511                     |              | ATTORNEY'S DOCKET NUMBER<br><b>19242</b> |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <b>The following fees are submitted:</b>  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <table border="1"> <tr> <td colspan="2">24. <input checked="" type="checkbox"/> Basic national fee .....</td> <td>\$300</td> <td colspan="2">CALCULATIONS</td> <td>PTO USE</td> </tr> <tr> <td colspan="2">25. <input checked="" type="checkbox"/> Examination fee<br/>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ....</td> <td>\$100</td> <td>\$</td> <td>\$200.00</td> <td></td> </tr> <tr> <td colspan="2">All other situations. ....</td> <td>\$200</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2">26. <input checked="" type="checkbox"/> Search fee<br/>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....</td> <td>\$100</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2">International Search Report prepared and provided to the Office .....</td> <td>\$400</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2">All other situations. ....</td> <td>\$500</td> <td>\$</td> <td>\$400.00</td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL OF 24, 25 and 26 =</b></td> <td>\$</td> <td>\$900.00</td> <td></td> <td></td> </tr> </table> |              |  |              |  |             | 24. <input checked="" type="checkbox"/> Basic national fee ..... |                        | \$300        | CALCULATIONS |                     | PTO USE | 25. <input checked="" type="checkbox"/> Examination fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). .... |  | \$100 | \$ | \$200.00 |  | All other situations. .... |  | \$200 |  |  |  | 26. <input checked="" type="checkbox"/> Search fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... |  | \$100 |  |  |  | International Search Report prepared and provided to the Office ..... |  | \$400 |  |  |  | All other situations. .... |  | \$500 | \$ | \$400.00 |  | <b>TOTAL OF 24, 25 and 26 =</b> |  | \$ | \$900.00 |  |  |
| 24. <input checked="" type="checkbox"/> Basic national fee .....  |              | \$300  | CALCULATIONS |  | PTO USE     |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| 25. <input checked="" type="checkbox"/> Examination fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ....   |              | \$100  | \$           | \$200.00                                 |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| All other situations. ....  |              | \$200  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| 26. <input checked="" type="checkbox"/> Search fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....   |              | \$100  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| International Search Report prepared and provided to the Office .....   |              | \$400  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| All other situations. ....  |              | \$500  | \$           | \$400.00                                 |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <b>TOTAL OF 24, 25 and 26 =</b>   |              | \$   | \$900.00     |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | RATE         |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| - 100 =   | 0 /50 =      | 0  | x            | \$250.00                                 | \$ 0.00     |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA   | RATE         |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| Total claims  | 75 - 20 =    | 55   | x            | \$50.00                                  | \$ 2,750.00 |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| Independent claims  | 9 - 3 =      | 6  | x            | \$200.00                                 | \$ 1,200.00 |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input checked="" type="checkbox"/> + \$360.00  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b> \$ 5,340.00  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <b>SUBTOTAL =</b> \$ 5,340.00   |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <b>TOTAL NATIONAL FEE =</b> \$ 5,340.00   |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$ 0.00   |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <b>TOTAL FEES ENCLOSED =</b> \$ 5,340.00  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <table border="1"> <tr> <td>Amount to be</td> <td>\$</td> </tr> <tr> <td>Amount to be</td> <td>\$</td> </tr> </table>   |              |  |              |  |             | Amount to be   | \$                     | Amount to be | \$           |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| Amount to be  | \$           |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| Amount to be  | \$           |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$5,340.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-1013/SSMP</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>   |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| SEND ALL CORRESPONDENCE TO: <u>Leopold Presser</u>  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| Customer No. 23389  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <table border="1"> <tr> <td>SIGNATURE</td> </tr> <tr> <td><u>Leopold Presser</u></td> </tr> <tr> <td>NAME</td> </tr> <tr> <td>19,827</td> </tr> <tr> <td>REGISTRATION NUMBER</td> </tr> </table>  |              |  |              |  |             | SIGNATURE  | <u>Leopold Presser</u> | NAME         | 19,827       | REGISTRATION NUMBER |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| SIGNATURE   |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| <u>Leopold Presser</u>  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| NAME  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| 19,827  |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |
| REGISTRATION NUMBER   |              |  |              |  |             |  |                        |              |              |                     |         |   |  |       |    |          |  |                            |  |       |  |  |  |   |  |       |  |  |  |   |  |       |  |  |  |                            |  |       |    |          |  |                                 |  |    |          |  |  |

|   |                             |                            |                           |                                  |
|---|-----------------------------|----------------------------|---------------------------|----------------------------------|
| <b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>   |                             |                            |                           | <b>10755683</b>                  |
| Applicant(s): David Andrew Anderson and Elizabeth Vera Ludmilla Grgacic   |                             |                            |                           | DOCKET NO.<br>19242              |
| Application No.<br><br>Unassigned   | Filing Date<br><br>Herewith | Examiner<br><br>Unassigned | Customer No.<br><br>23389 | Group Art Unit<br><br>Unassigned |
| Invention: <b>VIRAL VECTORS EXPRESSING FUSION OF VIRAL LARGE ENVELOPE PROTEIN AND PROTEIN OF INTEREST</b>   |                             |                            |                           |                                  |
| <p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <b>NEW PCT APPLICATION</b> </div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p style="text-align: center;"><u>October 17, 2005</u><br/><i>(Date)</i></p> <p style="text-align: center;"><b>Leopold Presser</b><br/><i>(Typed or Printed Name of Person Mailing Correspondence)</i></p>  <p style="text-align: center;"><i>(Signature of Person Mailing Correspondence)</i></p> <p style="text-align: center;"><u>EV 717622153 US</u><br/><i>(Express Mail" Mailing Label Number)</i></p> |                             |                            |                           |                                  |

Note: Each paper must have its own certificate of mailing.